

Applicant : Douglas J. Holmi
Serial No. : 09/532,907
Filed : March 21, 2000
Page : 4 of 6

Attorney's Docket No.: 02103-366001

Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to Fig. 6 and replaces the original sheet including Fig. 6

In Figure 6, electroacoustical transducers 20, 22 have been renumbered 20', 22' respectively, and the direct fields of pairs of surround transducers have been indicated.

Attachments following last page of this Reply:

Replacement Sheet (1 pages)
Annotated Sheet Showing Change(s) (1 pages)

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

2. Replacement drawings were submitted on August 15, 2005.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "20" and "22" have been used to designate both angles and speakers between Figures 3A-3C and Figure 6. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. It is further noted that any corrections to the reference characters in the drawings should be reflected by amendments to the specification.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, the "seats positioned ... in the direct sound field of one of said plurality of electroacoustical transducers" from claims 18 and 20 must be shown or the feature(s) canceled from the claim(s). Speakers are shown, but no indication of the sound field and its relationship to the seats, as claimed, is illustrated. No new matter should be entered.

FIG. 6 has been amended.

...

3. Claims 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

...

Claim 21 is rejected based on its dependency, and thus the inclusion of all limitations therein, upon claim 20.

Claim 20 has been amended.

Claims 18-21 are rejected under 35 U.S.C. 102 (b) as being anticipated by Clark et al (USPN 5754664), hereafter "Clark".

Clark, discloses a vehicle audio system for outputting sound with ambient characteristics in an automobile.

Specifically regarding Claim 18, Clark teaches:

...

Said plurality of output channels including a surround output channel (such as LR or left rear, "rear" being "surround", col. 6, lines 62-64);

...

The applicant respectfully disagrees. Clark's reference to a rear speaker does not, as the examiner implies, amount to a disclosure or suggestion of a surround channel. Although Clark does refer to ambience and to providing front staging effects, column 2 lines 10 through 14, Clark neither describes nor would have made obvious an audio system for an automobile having an audio signal source that has a surround output channel, as recited in claim 18.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

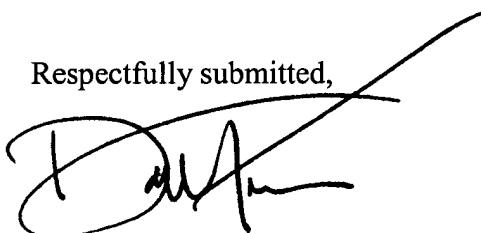
Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

No fee is believed to be due. Please apply any other charges or credits to deposit account 06-1050, referencing 02103-366001.

Date: 4/21/06

Respectfully submitted,



David L. Feigenbaum
Reg. No. 30,378

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



Appin No.: 09/532,907
Applicant(s): Douglas J. Holmi
HEADREST SURROUND CHANNEL ELETRACOUSTIC TRANSDUCING
Annotated Sheet

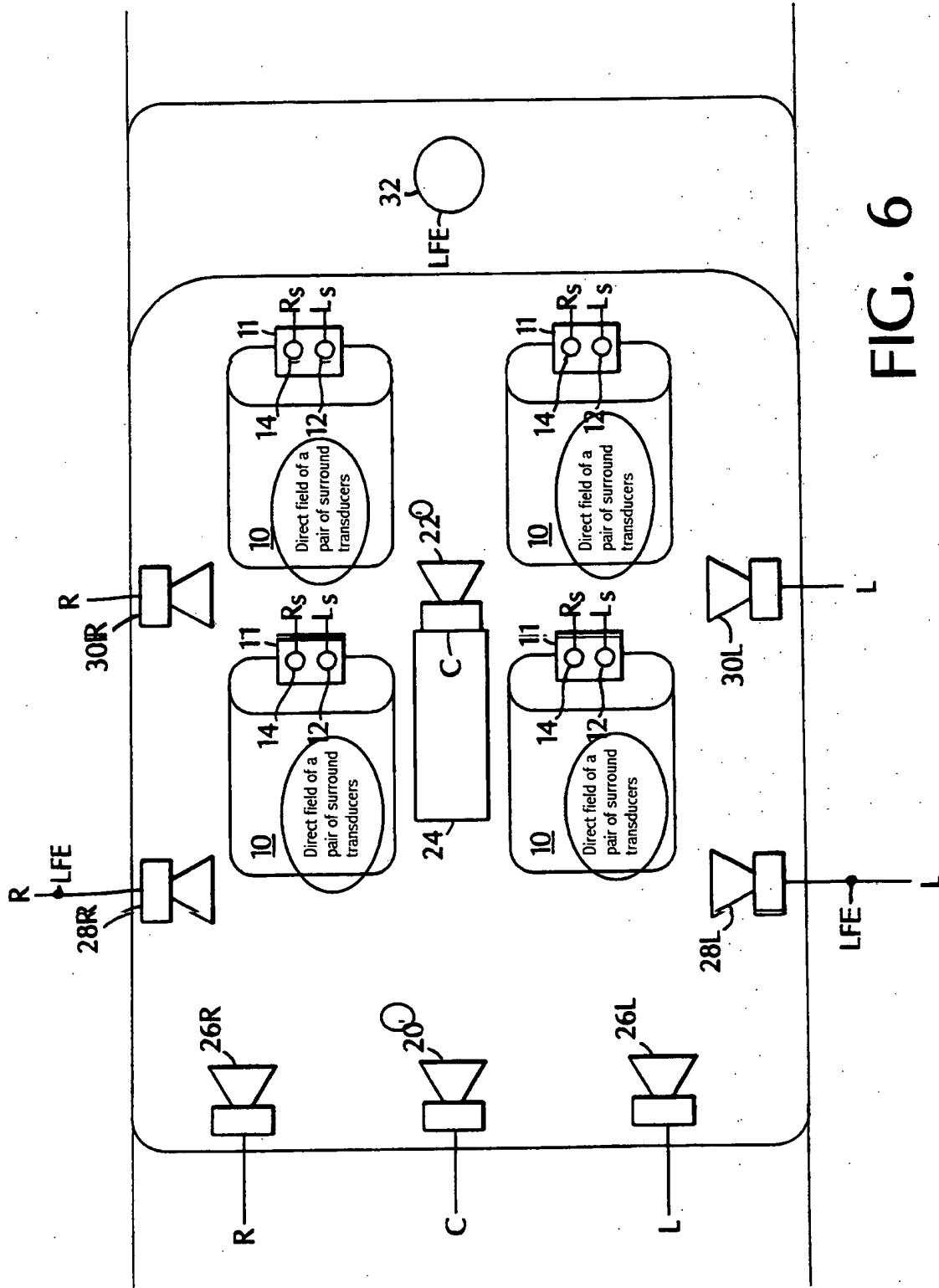


FIG. 6